

FILED**NF**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SEP 11 2008

Sep 11, 2008

**MICHAEL W. BOBBINS
CLERK, U.S. DISTRICT COURT**

UNITED STATES OF AMERICA,

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v.

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TERRY PETEN

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08cr122

No. 08CR 122-7

Magistrate Judge Valdez

FORFEITURE AGREEMENT

Pursuant to the Pretrial Release Order entered in the above-named case on April 22, 2008, and for and in consideration of bond being set by the Court for defendant TERRY PETEN in the amount of \$50,000, being fully secured by real property, TANYA P. FULLER hereby warrants and agrees:

1. TANYA P. FULLER warrants that she is the sole record owner and titleholder of the real property located at 2011 Tamarack Drive, Joliet, Illinois, and described legally as follows:

LOT 4, IN 6TH ADDITION TO PARK HILL, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 14, 1974, AS DOCUMENT NO. R74-5787, IN WILL COUNTY, ILLINOIS.

P.I.N: 07-12-200-007-0000.

TANYA P. FULLER warrants that there is one outstanding mortgage against the subject property and that the equitable interest in the real property equals at least \$50,000.

2. TANYA P. FULLER agrees that \$50,000 of her equitable interest in the above-described real property may be forfeited to the United States of America should the defendant TERRY PETEN fail to appear as required by the Court or otherwise violate any condition of the

Court's order of release. TANYA P. FULLER further understands and agrees that, if the defendant TERRY PETEN should violate any condition of the Court's release order, and her equity in the property is less than \$50,000, she will be liable to pay any negative difference between the bond amount of \$50,000 and her equitable interest in the property, and TANYA P. FULLER hereby agrees to the entry of a default judgment against her for the amount of any such difference. TANYA P. FULLER has received a copy of the Court's release order and understands its terms and conditions. Further, the surety understands that the only notice she will receive is notice of court proceedings.

3. TANYA P. FULLER further agrees to execute a quitclaim deed in favor of the United States of America, which deed shall be held in the custody of the Clerk of the United States District Court, Northern District of Illinois, until further order of the Court. TANYA P. FULLER understands that should defendant TERRY PETEN fail to appear or otherwise violate any condition of the Court's order of release, the United States may obtain an order from the Court authorizing the United States to file and record the above-described deed, and to take whatever other action that may be necessary to perfect its interest in the above-described real property and satisfy the obligation arising from a breach of the bond.

4. TANYA P. FULLER further agrees that she will maintain the subject property in good repair, pay all taxes and obligations thereon when due, and will take no action which could encumber the real property or diminish her interest therein, including any effort to sell or otherwise convey the property without leave of Court.

5. TANYA P. FULLER further understands that if she has knowingly made or submitted or caused to be made or submitted any false, fraudulent or misleading statement or

document in connection with this Forfeiture Agreement, or in connection with the bond set for defendant TERRY PETEN, she is subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. TANYA P. FULLER agrees that the United States shall file and record a copy of this Forfeiture Agreement with the Will County Recorder of Deeds as notice of encumbrance in the amount of the bond.

6. TANYA P. FULLER hereby declares under penalty of perjury that she has read the foregoing Forfeiture Agreement in its entirety, and the information contained herein is true and correct. Failure to comply with any term or condition of this agreement will be considered a violation of the release order authorizing the United States to request that the bond posted for the release of the defendant be revoked.

Date: 4/22/08

Date: 4/22/08

Tanya P. Fuller
TANYA P. FULLER
SURETY/GANTOR
Dorothy Cuadra
Witness

Prepared by:

Dorothy Cuadra
United States Attorney's Office
219 S. Dearborn Street, 5th Floor
Chicago, Illinois 60604
312-353-5300